

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE

In re

Lordstown Motors Corp., *et al.*,<sup>1</sup>

Debtors.

Chapter 11

Case No. 23-10831 (MFW)

(Jointly Administered)

Re: Docket No. 990

**CERTIFICATION OF COUNSEL REGARDING MOTION OF THE U.S. SECURITIES  
AND EXCHANGE COMMISSION FOR ORDER FURTHER EXTENDING TIME TO  
TAKE ACTION, TO THE EXTENT NECESSARY, TO DETERMINE THE  
DISCHARGEABILITY OF A DEBT TO A GOVERNMENTAL UNIT  
PURSUANT TO 11 U.S.C. § 1141(d)(6)**

The undersigned counsel to the above-captioned debtors and debtors-in-possession (the “**Debtors**”), with authority on behalf of the U.S. Securities and Exchange Commission (the “**Commission**”), hereby certifies as follows:

1. On February 15, 2024, the Commission filed the *Motion of the U.S. Securities and Exchange Commission for Order Further Extending Time to Take Action, to the Extent Necessary, to Determine the Dischargeability of a Debt to a Governmental Unit Pursuant to 11 U.S.C. § 1141(d)(6)* [Docket No. 990] (the “**Motion**”). Attached to the Motion was, among other things, a proposed form of order approving the relief requested in the Motion (the “**Proposed Order**”).

2. Pursuant to the notice filed with the Motion, any objection or response to the relief requested in the Motion was to be filed and served so as to be received no later **March 7, 2024 at 4:00 p.m. (Eastern Time)** (the “**Objection Deadline**”).

3. Prior to the Objection Deadline, the Commission received informal comments from the Debtors (the “**Informal Comments**”). In response, the Commission and the Debtors resolved

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<sup>1</sup> The Debtors and the last four digits of their respective taxpayer identification numbers are: Lordstown Motors Corporation (3239); Lordstown EV Corporation (2250); and Lordstown EV Sales LLC (9101). The Debtors’ service address is 27000 Hills Tech Ct., Farmington Hills, MI 48331.

the Informal Comments through revisions to the Proposed Order (the “**Revised Proposed Order**”). The Commission has reviewed the Court’s docket in these cases and no further answer, objection, or other responsive pleading to the Motion appears thereon. In addition, the Official Committee of Unsecured Creditors and the Official Committee of Equity Security Holders do not oppose the entry of the Revised Proposed Order.

4. For the convenience of the parties, a blackline of revisions to the Revised Proposed Order is attached hereto as **Exhibit B**.

WHEREFORE, the Commission therefore respectfully requests that the proposed form of order attached hereto as **Exhibit A** be entered at the earliest convenience of the Court.

*[Remainder of Page Intentionally Left Blank]*

Dated: March 8, 2024  
Wilmington, Delaware

<p><u>/s/ Morgan L. Patterson</u></p> <p><b>WOMBLE BOND DICKINSON (US) LLP</b></p> <p>Donald J. Detweiler (DE Bar No. 3087) Morgan L. Patterson (DE Bar No. 5388) 1313 North Market Street, Suite 1200 Wilmington, Delaware 19801 Telephone: (302) 252-4320 Facsimile: (302) 252-4330 <a href="mailto:don.detweiler@wbd-us.com">don.detweiler@wbd-us.com</a> <a href="mailto:morgan.patterson@wbd-us.com">morgan.patterson@wbd-us.com</a></p> <p><i>Counsel to the Debtors and Debtors in Possession</i></p>	<p><b>WHITE &amp; CASE LLP</b></p> <p>Thomas E Lauria (admitted <i>pro hac vice</i>) Matthew C. Brown (admitted <i>pro hac vice</i>) Fan B. He (admitted <i>pro hac vice</i>) 200 South Biscayne Boulevard, Suite 4900 Miami, FL 33131 Telephone: (305) 371-2700 <a href="mailto:tlauria@whitecase.com">tlauria@whitecase.com</a> <a href="mailto:mbrown@whitecase.com">mbrown@whitecase.com</a> <a href="mailto:fhe@whitecase.com">fhe@whitecase.com</a></p> <p>David M. Turetsky (admitted <i>pro hac vice</i>) 1221 Avenue of the Americas New York, NY 10020 Telephone: (212) 819-8200 <a href="mailto:david.turetsky@whitecase.com">david.turetsky@whitecase.com</a></p> <p>Jason N. Zakia (admitted <i>pro hac vice</i>) 111 South Wacker Drive, Suite 5100 Chicago, IL 60606 Telephone: (312) 881-5400 <a href="mailto:jzakia@whitecase.com">jzakia@whitecase.com</a></p> <p>Roberto Kampfner (admitted <i>pro hac vice</i>) Doah Kim (admitted <i>pro hac vice</i>) RJ Szuba (admitted <i>pro hac vice</i>) 555 South Flower Street, Suite 2700 Los Angeles, CA 90071 Telephone: (213) 620-7700 <a href="mailto:rkampfner@whitecase.com">rkampfner@whitecase.com</a> <a href="mailto:doah.kim@whitecase.com">doah.kim@whitecase.com</a> <a href="mailto:rj.szuba@whitecase.com">rj.szuba@whitecase.com</a></p> <p><i>Counsel to Debtors and Debtors in Possession</i></p>
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